

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

NAGEL CONSTRUCTION, INC.,

Plaintiffs,

v.

Case No. 1:05-cv-492

Hon. Hugh W. Brenneman, Jr.

CREST CONSTRUCTION & EXCAVATING  
LLC, et al.,

Defendants

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**ORDER**

In accordance with the Opinion filed this date, plaintiff's motion for summary judgment (docket no. 33) is **GRANTED** against defendant Travelers Casualty and Surety Company of America as to Count IV in the principle sum of \$64,720.00 with statutory interest and costs.

The parties are directed to attend a status conference on **Wednesday, August 16, 2006 at 9:00 a.m.** to address plaintiff's remaining claim against defendant J.O.A. Construction Co., Inc. in Count III.

Dated: June 29, 2006

/s/ Hugh W. Brenneman, Jr.  
Hugh W. Brenneman, Jr.  
United States Magistrate Judge